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DE RUEHC #9684/01 1792347
ZNR UUUUU ZZH
O 272348Z JUN 08
FM SECSTATE WASHDC
TO UN SECURITY COUNCIL COLLECTIVE IMMEDIATE
RUEHRL/AMEMBASSY BERLIN IMMEDIATE 5462
RUEHSW/AMEMBASSY BERN IMMEDIATE 4340
RUEHCP/AMEMBASSY COPENHAGEN IMMEDIATE 8857
RUEHSM/AMEMBASSY STOCKHOLM IMMEDIATE 5521
RUEHTC/AMEMBASSY THE HAGUE IMMEDIATE 2513
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INFO EU MEMBER STATES COLLECTIVE IMMEDIATE
RHEHNSC/NSC WASHINGTON DC IMMEDIATE 0830
RUEATRS/TREASURY DEPT WASHINGTON DC IMMEDIATE 9627

UNCLAS SECTION 01 OF 03 STATE 069684

SENSITIVE
SIPDIS

E.O. 12958: N/A

TAGS: [AG](#) [EFIN](#) [ETTC](#) [KTFN](#) [PREL](#) [PTER](#) [UNSC](#)

SUBJECT: ENCOURAGING SUPPORT FOR UN 1267 SANCTIONS AND
FOLLOW-ON RESOLUTION TO UNSCR 1735

REF: A. A) STATE 066897

[1](#)B. B) USUN 000421

[1](#)1. (U) This is an action cable. Please see paragraphs 6,7
and 8.

BACKGROUND

[1](#)2. (U) The follow-on resolution (Septel) to UNSCR 1735 (2006)
is intended to guide the work over the next eighteen months
of the UN Security Council committee established pursuant to
UNSCR 1267 concerning al-Qaida and the Taliban (1267
Committee). The resolution will also extend for another
eighteen months the mandate of the 1267 Committee's
Monitoring Team, which provides analytical support to the
Council on implementation of the resolution. The 1267
sanctions regime, which requires states to impose an asset
freeze, travel ban, and arms embargo on individuals and
entities found by the Council or its 1267 Committee to be
associated with al-Qaida, Usama bin Laden or the Taliban, is
one of the international community's most important
multilateral counterterrorism tools.

[1](#)3. (SBU) Per ref A, we used the opportunity of the Monitoring
Team's mandate renewal to include in the draft resolution a
series of measures intended to address criticism that the
Council's decisions on sanctions are opaque and that its
procedures for placing individuals on and removing them from
the 1267 sanctions list are neither fair nor clear. In
addition, we urged greater implementation of existing
fairness and transparency procedures in the 1267 sanctions
regime. We want to underscore all of these elements to
remind UN Member States that we continue to take seriously
calls to increase fairness and transparency in listings and
delistings. However, we also want to underscore that the
1267 sanctions regime was created to address the threat posed
by al-Qaida and the Taliban, a threat which persists, and
therefore we believe the Council's focus should be on taking
action to address this threat.

[1](#)4. (SBU) Prior to drafting this resolution, we worked with a
number of countries to explore options to address criticisms
of the regime and to improve procedures for ensuring fairness
and transparency in sanctions decisions. We have been
briefed on various iterations of proposals to establish an
independent review panel to advise the 1267 Committee (which
is a subsidiary body of the Council) on listing and delisting
decisions. Per Ref B, several of these key interlocutors
presented this idea to the 1267 Committee. We (and several
other Security Council members) have consistently opposed

establishment of a review panel for a variety of reasons. For example, we believe that an advisory panel would undermine the authority of the Security Council. We also think it would be ineffective and unworkable in practice, given the sensitive nature of much of the information relied upon to impose targeted sanctions. An advisory panel would be unlikely to have access to the full record relied upon by Member States in proposing or reviewing sanctions. This lack of access would preclude meaningful review. Member States at the forefront of efforts to advance the idea for an independent review have acknowledged the shortcomings inherent in ideas for an independent review mechanism. They have also told us that they advanced the idea in an effort to strengthen procedures in the 1267 Committee in order to help ensure the continued viability of the al-Qaida/Taliban sanctions regime.

OBJECTIVES

15. (SBU) Although we (and other Security Council members) cannot support proposals advanced by some Member States (including Liechtenstein, Sweden, Switzerland, Denmark, the Netherlands and Germany) for an independent review panel for some of the reasons outlined above, we want those Member States to acknowledge positively and publicly the fact that we have followed through on our commitment to include new

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measures in this draft resolution to strengthen procedures to ensure fairness and transparency in the 1267 Committee. We believe these elements of the resolution will significantly increase transparency of Committee decisions and further signal the Committee's determination to demonstrate that the Council continues to take seriously the need for the sanctions regime to employ fair and clear procedures. We further want to remind all Member States that ensuring the continued viability of the regime is a collective effort that requires their support. We would like Member States to join us in publicly heralding the adoption by the Council of this resolution that was designed to help strengthen fair and clear procedures, and to ensure that the committee remains focused on the taking action to help deter the threat posed by terrorists linked to al-Qaida and the Taliban. If any Security Council Members inform us of plans to make an "Explanation of Vote" (EOV), we would like to discourage statements that would undercut the significant achievements made in this resolution.

ACTION REQUEST

16. (U) Action addressee posts in capitals are instructed to deliver the points in paragraph 7 to appropriate interlocutors. USUN, at the highest appropriate level, should approach representatives from all 15 Security Council members to request that they join us in supporting adoption (on June 30) of this resolution, and to further join us in publicly welcoming new measures to improve fair and clear procedures as a significant, substantial progress on an issue the Council continues to take very seriously. USUN should similarly encourage non-Security Council Members from key EU countries (Liechtenstein, Switzerland, Sweden, Denmark, the Netherlands and Germany) to make statements in support of this resolution and ask that they join us in taking steps to support committee action to deter the al-Qaida/Taliban terrorist threat.

17. (U) Action addressees may wish to draw upon the following points, as appropriate:

-- We would like you to join us in publicly welcoming on June 30 the follow-on resolution to UNSCR 1735.

-- This resolution will guide the work of the 1267 (al-Qaida/Taliban sanctions) Committee over the next eighteen

months, and will extend the mandate of the 1267 Monitoring Team.

-- This resolution is designed to achieve two objectives. The first is to demonstrate the Council's continued commitment to addressing the threat to international peace and security posed by al-Qaida and the Taliban. The second is to demonstrate that the Council continues to take seriously the need for the sanctions regime to employ fair and clear procedures in making listing and delisting decisions and in considering exemptions to sanctions. We want UN Member States to know that this is a collective effort.

-- We have made great efforts to address criticisms that have damaged the credibility of this important sanction regime and hope that these efforts demonstrate the Council's continued commitment to employing fair and clear procedures.

-- We ask that you join us in publicly lauding the achievements made in this resolution, and that you actively participate in strengthening the regime including by proposing, and encouraging other Member States to propose, names for listing and/or delisting as appropriate.

-- We must work together to ensure that this effective tool in deterring terrorists and those who support them is fully exploited, and that the 1267 Committee remains dynamic and that the Consolidated List reflects realities on the ground.

-- Keeping this sanctions regime up-to-date and effective requires active participation, support, and implementation of measures by all Member States.

-- We look forward to working with you to continue to strengthen this regime, as well as other UN counterterrorism

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efforts.

18. (SBU) If action addressees learn that their Security Council interlocutors plan to provide an "Explanation of Vote" (EOV) upon adoption of this resolution, action addressees may draw upon the following points, as appropriate:

-- We understand and sympathize with the desire to send a signal to the public (and for European Security Council Members, to courts) that you are working to address adequately "due process" rights in implementing UN targeted sanctions.

-- We have made significant concessions to accommodate these concerns in negotiations of the draft UNSCR to guide the work over the next 18 months of the 1267 (al-Qaida/Taliban sanctions) Committee and to extend the mandate of the 1267 Monitoring Team.

-- We had anticipated that the measures introduced in this resolution would be hailed by you and our other European and Security Council partners as significant, substantial progress that should restore public confidence in this important sanctions regime and allow the Committee to resume its main focus on deterring the al-Qaida/Taliban terrorist threat.

-- We do not believe that statements emphasizing that the Council can and must do more will serve any other purpose than to cast further doubt on the Council's decisions and erode Member States' enthusiasm for and confidence in actively implementing or proposing sanctions for Taliban and al-Qaida-linked terrorists.

-- The UNSC 1267 Sanctions regime is at a critical juncture. It is the UN's most effective, important CT tool. It is the one sanctions regime that heretofore enjoyed widespread support and sets the pace for measures adopted across UN

sanctions regimes. Its erosion will adversely impact UN targeted sanctions as a tool if we do not work together to reverse current trends.

-- We ask that you refrain from statements focusing on the 1267 Committee's weaknesses and instead recognize the positive changes that will be implemented and encourage others to do the same.

Reporting Deadline

[¶9](#). Posts should report any substantive comments no later than July 3, 2008.

Point of Contact

[¶10](#). Questions may be directed to IO/PSC (Erin Crowe, 202-736-7847).
RICE